

eligibility for title XVI benefits based on disability or blindness is reinstated under section 1631(p) of the Act, the month in which you are eligible to receive a new ticket under §411.125(c); or

(8) The month after the month in which your outcome payment period ends (see §411.500(b)).

[66 FR 67420, Dec. 28, 2001, as amended at 73 FR 29340, May 20, 2008]

Subpart C—Suspension of Continuing Disability Reviews for Beneficiaries Who Are Using a Ticket

INTRODUCTION

§411.160 What does this subpart do?

(a) This subpart explains our rules about continuing disability reviews for disability beneficiaries who are participating in the Ticket to Work program.

(b) Continuing disability reviews are reviews that we conduct to determine if you are still disabled under our rules (see §§404.1589, 416.989 and 416.989a of this chapter for the rules on when we may conduct continuing disability reviews). For the purposes of this subpart, continuing disability reviews include the medical reviews we conduct to determine if your medical condition has improved (see §§404.1594 and 416.994 of this chapter), but not any review to determine if your disability has ended under §404.1594(d)(5) of this chapter because you have demonstrated your ability to engage in substantial gainful activity (SGA), as defined in §§404.1571–404.1576 of this chapter.

§411.165 How does using a ticket under the Ticket to Work program affect my continuing disability reviews?

We periodically review your case to determine if you are still disabled under our rules. However, we will not begin a continuing disability review during the period in which you are using a ticket. Sections 411.170 and 411.171 describe when the period of using a ticket begins and ends. You must meet certain requirements for us to consider you to be using a ticket.

[66 FR 67420, Dec. 28, 2001, as amended at 73 FR 29340, May 20, 2008]

§411.166 Glossary of terms used in this subpart.

(a) *Using a ticket* means you have assigned a ticket to an Employment Network (EN) or a State VR agency that has elected to serve you as an EN, and you are making timely progress toward self-supporting employment as defined in §411.180; or you have a ticket that would otherwise be available for assignment and are receiving VR services pursuant to an individualized plan for employment (IPE) and the State VR agency has chosen to be paid for these services under the cost reimbursement payment system, and you are making timely progress toward self-supporting employment as defined in §411.180. (See §411.171 for when the period of using a ticket ends.)

(b) *Timely progress toward self-supporting employment* means you have completed the specified goals of work and earnings, or completed the specified post-secondary education credits at an educational institution (see §411.167) in pursuit of a degree or certificate, or completed specified course requirements for a vocational or technical training program at an educational institution consisting of a technical, trade or vocational school (see §411.167), or completed a certain percentage of the work requirement and a certain percentage of the post-secondary education requirement or vocational or technical training requirement and the sum of the two percentages equals 100 or more (see §411.180(c)), or obtained a high school diploma or General Education Development (GED) certificate in the applicable progress certification period as described in §411.180.

(c) *Timely progress guidelines* mean the guidelines we use to determine if you are making timely progress toward self-supporting employment (see §411.180).

(d) *Progress certification period* means any 12-month progress certification period described in §411.180(b).

(e) *Progress review* means the reviews the PM conducts to determine if you are meeting the timely progress guidelines described in §411.180. We explain the method for conducting progress reviews in §411.200.

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(f) *Extension period* is a period of up to 90 days during which you may reassign a ticket without being subject to continuing disability reviews. You may be eligible for an extension period if the ticket is in use and no longer assigned to an EN or State VR agency acting as an EN (see §411.220).

(g) *Inactive status* is a status in which you may place your ticket if you are temporarily or otherwise unable to make timely progress toward self-supporting employment during a progress certification period. See §411.192 for the rules on placing your ticket in inactive status and on reactivating your ticket.

(h) *Variance tolerance* means the margin of flexibility whereby we will consider you to have met the requirement for completing a specified amount of post-secondary credit hours in an educational degree or certification program or the course requirements in a vocational or technical training program under §411.180 in the applicable progress certification period if your completion of credit hours or course requirements in this period is within 10% of the goal. Figures representing the number of credit hours required for the first and second progress certification periods as described in §411.180 will be rounded by dropping any fractions. Under the variance tolerance, we also will consider you to have met the requirements in an applicable progress certification period if you complete a certain percentage of the work requirement and a certain percentage of the post-secondary education requirement or vocational or technical training requirement in the period and the sum of the two percentages is within 10% of the goal. See §411.180(a) and (c).

(i) *VR cost reimbursement option* means an arrangement under which your ticket is not assigned to the State VR agency but you do receive services pursuant to an individualized plan for employment where the State VR agency has chosen to receive payment under the cost reimbursement payment system.

(j) *VR cost reimbursement status* means the status of your ticket under the arrangement described in paragraph (i) of this section. The period during which your ticket is in VR cost reimbursement status begins on the date de-

scribed in §411.170(b) and ends on the date your case is closed by the State VR agency.

[73 FR 29340, May 20, 2008]

§411.167 What is an educational institution or a technical, trade or vocational school?

(a) *Educational institution* means a school (including a technical, trade, or vocational school), junior college, college or university that is: operated or directly supported by the United States; operated or directly supported by any State or local government or by a political subdivision of any State or local government; or approved by a State agency or subdivision of the State, or accredited by a State-recognized or nationally recognized accrediting body.

(b) *Technical, trade or vocational school* is an educational institution that is approved by a State agency or subdivision of the State or accredited by a State-recognized or nationally recognized accrediting body to provide technical, trade or vocational training.

(c) *State-recognized accrediting body* means an entity designated or recognized by a State as the proper authority for accrediting schools, colleges or universities.

(d) *Nationally recognized accrediting body* means an entity determined to be such by the U.S. Department of Education.

(e) *Approval by a State agency or subdivision of the State* includes approval of a school, college or university as an educational institution, or approval of one or more of the courses offered by a school, college or university.

[73 FR 29341, May 20, 2008]

§411.170 When does the period of using a ticket begin?

(a) The period of using a ticket begins on the effective date of the assignment of your ticket to an EN or State VR agency under §411.140.

(b) If you have a ticket that would otherwise be available for assignment and are receiving VR services pursuant to an individualized plan for employment (IPE) and the State VR agency has elected the VR cost reimbursement